

REMARKS

Claims 12-13, 16-20 and 27-38 have been canceled and new Claims 39, 40 and 41 have been added.

Support for new Claim 39 can be found, for example, at page 12, lines 8-11 and page 13, lines 26-32.

Support for new Claim 40 can be found, for example, at page 19, lines 3-6 and Claim 9 as originally filed.

Support for new Claim 41 can be found, for example, at page 19, lines 21-25.

The new claims are supported by the subject application as originally filed. Therefore, this Amendment adds no new matter.

Reply to Restriction Requirement

In response to the Restriction Requirement dated October 6, 2004, the claims of Group I (Claims 8-9 and 21-26), defined by the Examiner as being drawn to a method of treating an allergic or inflammatory condition associated with IgE-mediated degranulation by administering an agent that binds to CD81 and inhibits IgE-mediated degranulation, are elected for prosecution. Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

Responsive to the requirement for an election of species for searching purposes, Applicants hereby elect asthma as the species of allergic or inflammatory condition. The Examiner's attention is drawn to the fact that, in addition to the list of allergic or inflammatory conditions described in the Office Action (Office Action, page 4, lines 15-21), the specification supports additional allergic or inflammatory conditions (e.g., asthma, hay fever, and atopic eczema (Claim 8), passive cutaneous anaphylaxis (Claim 24)). Claims readable on the elected species are Claims 8, 9, 21, 22, 25, 26 and 39-41.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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